

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

R. Michael Best	:	
Keith Dougherty	:	
Docson Consulting LLC (SMLLC)	:	
Keith Dougherty Investments & Consulting	:	
LLC (SMLLC)	:	
	:	
	:	
	:	
Plaintiff(s),	:	Civil Action NO: 1:14-CV-922
	:	
v.	:	
U.S. Food Inc et al	:	
	:	Christopher Conner (Judge)
	:	
	:	Filed Electronically
	:	
	:	
Defendant(s),	:	Jury Trial Demanded
	:	
	:	
	:	

Plaintiff's Motion to Strike Judge Hess and Judge Bratton Motion to Dismiss and Enter Default against Judge Hess and Judge Bratton

And now comes Keith Dougherty and R. Michael Best pro se and seek to strike Defendant(s) Judge Hess and Judge Bratton Motion to Dismiss as not compliant with Federal Pleading Requirements.

1. Service as to Judge Hess and Judge Bratton was provided in accord with Pa.R.C.P 422(a) at their respective county offices.

By Hand Delivery in person to "court administration" in accord with : Pa.R.C.P. 422(a) Incorporated by Fed.R.Civ.P 4(j)(2).

Rule 422. The Commonwealth and Political Subdivisions.

(a) Service of original process upon the Commonwealth or an officer of the Commonwealth, or a department, board, commission or instrumentality of the Commonwealth, or a member thereof, shall be made at the office of the defendant ... by handing a copy to the person in charge thereof.

Incorporated by Fed.R.Civ.P 4(j)(2)

(2) State or Local Government. A state, a municipal corporation, or any other state-created governmental organization that is subject to suit must be served by:

(A) delivering a copy of the summons and of the complaint to its chief executive officer; or

(B) serving a copy of each in the manner prescribed by that state's law for serving a summons or like process on such a defendant.

Pa.R.A.P. 121

(c) Manner of service.—Service may be:

(1) by personal service, which includes delivery of the copy to a clerk or other responsible person at the office of the person served, but does not include inter-office mail;

(see Corruption of William Caldwell striking motion to enter Default in 10-CV-1071; under review as 13-CV-1868) Summons and affidavit of Stilp attached (served personally by “a real and competent attorney”)

During the reign of Former Chief Kane, former Chief Clerk D’Andrea, and Former Chief Judge Scirica the Middle District of PA and the 3rd Cir were little more than an incestuous cesspool for law school graduates where “self-representation” was to be discouraged at all costs; (see 13-CV-1868) when reviewing the “Sanctions of Attorney

Bailey” the Honorable Christopher Conner was seen as the “outlier” (see also CV-2011-2531 (legal malpractice assigned to Keith Dougherty) forced retirement of Joseph Buckley, Imprisonment of Karl Rominger suicide of Mottern, and most Recently Disbarment of Attorney Bailey); when as here attorneys “waste the court’s time with incoherent statements like “they weren’t served properly” there must be sanctions; when incompetent attorneys assume there will be an additional 14 days “because that’s the way we do it round here” there must be the entry of default).

2. Counsel for Defendant (Judges) entered appearance on or about 6/3/2014 Doc 8.

3. Counsel did file a motion to dismiss 6/4/2014 Doc.

11 without supporting brief (citing improper service and Rooker-Feldman “invalidating his credibility instantly”).

LR 7.5 Submission of Briefs Supporting Motions.

If a supporting brief is not filed within the time provided in this rule the motion shall be deemed to be withdrawn.

[the 14 day local rule cannot invalidate Rule 12

Rule 12. Defenses and Objections: When and How Presented; Motion for Judgment on the Pleadings; Consolidating Motions; Waiving Defenses; Pretrial Hearing

(a) Time to Serve a Responsive Pleading.

(i) within 21 days after being served with the summons and complaint; or

(b) How to Present Defenses. Every defense to a claim for relief in any pleading must be asserted in the responsive pleading if one is

required. But a party may assert the following defenses by motion: [see Lujan v. Defenders of Wildlife Footnote 5 (1990) for explanation of “required formality”]

See Rule 6 for calculation of time and seeking “extension of time” to “complete the initial filing”

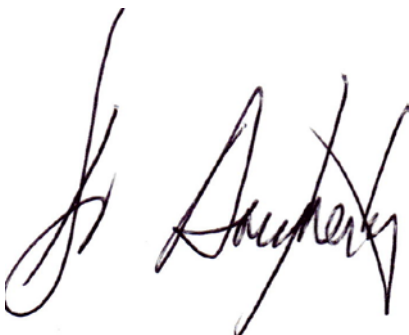
- 4. No motion or request to extend time to file having been sought the motion is deemed “withdrawn” under local rule.**
- 5. Having failed to plead and defend which requires more than “entry of appearance” default is in order.**

Prayer For Relief

As Defense Counsel for Judges, Hess and Bratton, having failed to “timely respond” and or “file the supportive brief” required under Rule within the 21 days allowed by Congress (and their opponent has properly cited the Rules in opposition see Eberhart) their “motion to dismiss is stricken”; the clerk shall enter default against President Judge Hess, and Judge Bratton (hearing on preliminary injunction to be set).

Only Supreme Court opinions are relevant.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "J. A. [unclear]", written in a cursive style.

Keith Dougherty, CFP®, CLU®, IAR, EA
Sole Member Keith Dougherty Investments & Consulting LLC
8075 Manada View Drive
Harrisburg, PA 17112-9383
866-391-7295
keithdoughertycfp@comcast.net

A handwritten signature in black ink, appearing to read "R. Michael Best", written over a horizontal line.

R. Michael Best
6493 Carlisle Pike
Mechanicsburg, PA
17055 (717) 795-9350
Fax: 717-691-6636

Bestautosales1@gmail.com

Certificate of Nonconurrence

**I Keith Dougherty do hereby certify by phone conversation with
U.S. Food Inc. Counsel Brian Watson does not concur.**

/S/Keith Dougherty

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

R. Michael Best pro se	:	
Keith Dougherty pro se	:	
President/Secretary of CUC of MD	:	
Inc. Maryland Close Corp (S Corp)	:	
(Director) of Ken & Jim CUC Inc.	:	
Wholly owned subsidiary of CUC of	:	
MD Inc.	:	
Docson Consulting LLC (SMLLC)	:	
	:	
Plaintiff(s),	:	
	:	
	:	Civil Action NO: 1: 14-CV-922
v.	:	14-CV-480
	:	
US Foods Inc. Delaware Division	:	
Cluck U Corp	:	
JP Haddad	:	
Richard Daniels	:	
Curtis Property Management aka	:	
“the landlord”	:	
	:	
Cumberland County Sheriff’s	:	
Department; Cumberland County	:	
Prothonotary	:	
	:	
President Judge Hess Cumberland	:	
County Common Pleas	:	Christopher Conner (Judge)
Judge Bratton Dauphin County	:	
Common Pleas	:	
	:	Filed Electronically
	:	
Defendant(s),	:	
	:	Jury Trial Demanded
	:	

Order

DEFAULT

AND NOW on this_____ day of June 2014, DEFAULT is hereby entered against defendant(s) Judge Bratton and Judge Hess for failure to plead or otherwise defend pursuant to Rule 55(a) Federal Rules of Civil Procedure.

**Judge Bratton
101 Market Street
Harrisburg, PA 17101**

**Judge Hess
Courthouse Square
Suite 100
Carlisle, PA 17013**

Christopher Conner (Chief Judge)

Certification of Service

I Keith Dougherty doe hereby certify a copy of the foregoing was served by 1st class mail prepaid and by ECF where indicated;

**JP Haddad
Cluck U Corp
14504 Greenview Drive
Suite 200,
Laurel, MD 20708
(301) 604-2535
Fax: (301) 604-2536**

**Cumberland County Sheriff's Department
Courthouse Square
Room 303
Carlisle, PA 17013**

**Cumberland County Prothonotary
Courthouse Square
Suite 100
Carlisle, PA 17013**

**College Park LLC
Curtis Property Management
5620 Linda Ln,
Camp Springs**

By ECF;

Colin S. Haviland
Legal Counsel
Supreme Court of Pennsylvania
Administrative Office of PA Courts
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Fax: 312-258-5600
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US Foods, Inc., improperly sued as
US Foods Inc. Delaware Division**

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UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT of PENNSYLVANIA

Gene Stilp

Plaintiff

v.

Pennsylvania State Ethics Commission, John J.
Contino, Executive Director of the State Ethics
Commission, in his official capacity only, and
Thomas W. Corbett, Jr., Attorney General of
Pennsylvania, in his official capacity only

Defendant

Civil Action No. 1:CV-09-524
Judge Conner

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*
(SEE COMPLAINT)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Aaron D. Martin, Esquire, Hoppe & Martin, LLP, 423 McFarlan Road, Suite 100, Longwood Corp. Center South, Kennett Square, PA 19348, (610) 444-2001

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, MARY E. D'ANDREA

Date: 3/20/09


Signature of Clerk or Deputy Clerk

AO 440 (Rev. 02/07) Summons in a Civil Action (Page 2)

Civil Action No. 1: CV-09-524

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Thomas W. Corbett, Jr., Attorney
 was received by me on (date) 3/20/09 . General of Pennsylvania

☐ I personally served the summons on the individual at (place) _____
 on (date) _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____ , a person of suitable age and discretion who resides there,
 on (date) _____ , and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Kelly Spittle, PIC , who is
 designated by law to accept service of process on behalf of (name of organization) Attorney General of Pa.
per Pa.R.C.P. 422(a) incorporated by on (date) 3/20/09 ; or
F.R. Civ. P. 4(j)(2) 1:41 p.m.

☐ I returned the summons unexecuted because _____ ; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ .

I declare under penalty of perjury that this information is true.

Date: 3/24/09

Aaron D. Martin

Server's signature

Aaron D. Martin

Printed name and title

423 McFarlan Road, Suite 100
Kennett Square, PA 19348

Server's address

Additional information regarding attempted service, etc: